

REMARKS

Applicant has carefully studied the final Examiner's Action mailed September 23, 2004 and all references cited therein. The amendment appearing above and these explanatory remarks are believed to be fully responsive to the Action. Accordingly, this important patent application is now believed to be in condition for allowance.

Applicant responds to the outstanding Action by centered headings that correspond to the centered headings employed by the Office, to ensure full response on the merits to each finding of the Office.

It has come to the Applicant's attention that due to an error in the electronic filing of the subject application the claims subsequent to claim 22 have been mis-numbered. Claim 22 in the original application includes the original independent claim and a subsequent dependant claim that was not recognized by the filing software, but instead was included in the independant claim. For the sake of minimizing confusion all claims are referred to by their original claim numbers as represented by the original application and the Examiner's Detailed Action.

Specification

Applicant respectfully acknowledges that claim 2 was originally unnumbered. Accordingly, the amendments above have corrected the error.

Claim Rejections - 35 U.S.C. § 102

Applicant acknowledges the quotation of 35 U.S.C. § 102(e).

Claims 1, 2, and 4 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Zou. Reconsideration and withdrawal of this ground of rejection is requested in view of the amendments made to independent claim 1 and in view of these remarks explanatory thereof. Zou, like all other references of record, neither teaches nor suggests Applicant's method of appending recorded messages to form a thread. Accordingly, claim 1 has been amended to recite said method and therefore has not been anticipated by any reference cited by the Office. Similarly, reconsideration and withdrawal of this ground of rejection is requested because claims 2 and 4 depend from claim 1, as amended, which now recites said appending method and therefore contain all limitations contained therein, therefore patentably defines over Zou.

Claim Rejections - 35 U.S.C. § 103

Applicant acknowledges the quotation of 35 U.S.C. § 103(a).

Claims 3-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zou in view of Oh ('376). Neither Zou nor any reference cited by the Office teach or suggest Applicant's method of appending the voice recordings to form a message thread in conjunction with establishing a voice command zone. Reconsideration and withdrawal of this ground of rejection is requested because claims 3 through 5 depend from claim 1, as amended, which now recites said appending method and therefore contain all limitations contained therein, therefore patentably defines over any combination of Zou and Oh ('376).

Conclusion

Entry of a Notice of Allowance is solicited. The attached Citation of Legal Authority is made of record for the reasons stated therein. If the Office is not fully persuaded as to the merits of Applicant's position, or if an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

Very respectfully,

SMITH & HOPEN

By: 

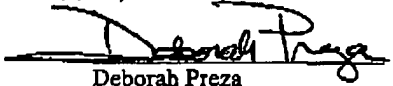
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Dated: December 23, 2004

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Amendment A is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 2645, Attn.: Roland G. Foster, (703) 872-9314 on December 23, 2004.

Dated: December 23, 2004


Deborah Preza